

mixed in a manner whereby inferiority was concealed. The remainder of the strawberry preserves were alleged to be adulterated in that a mixture of sugar, acid, water, and pectin had been mixed and packed with the articles so as to reduce, lower, or affect its quality; in that a mixture of fruit, sugar, acid, pectin, and moisture containing less fruit than preserve had been substituted for preserve; and in that the article had been mixed in a manner whereby inferiority was concealed. The remainder of the raspberry preserves were alleged to be adulterated in that a mixture of sugar and water, one lot also containing added pectin, had been mixed with the article so as to reduce, lower, or affect its quality; (2) in that a mixture of fruit, sugar, and moisture containing less fruit than preserve and one lot also containing added pectin, had been substituted for preserve; and (3) in that the article had been mixed in a manner whereby inferiority was concealed.

The products were alleged to be misbranded in that the statements on the labels, "Pure Strawberry Preserves" or "Pure Raspberry Preserves", as the case might be, were false and misleading and tended to deceive and mislead the purchaser when applied to products resembling preserves, but which contained less fruit than preserves contain; and in that they were imitations and offered for sale under the distinctive names of other articles.

On May 6, 1936, no claimant having appeared, judgments were entered finding the products misbranded and ordering that they be condemned and destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

**25972. Adulteration and misbranding of skim-milk powder. U. S. v. 6 Barrels of Alleged Skim Milk Powder. Default decree of condemnation and destruction.** (F. & D. no. 36860. Sample no. 48805-B.)

This case involved skim-milk powder that was sour and decomposed.

On December 31, 1935, the United States attorney for the Southern District of Georgia, acting upon a report by the Secretary of Agriculture, filed in the district court a libel praying seizure and condemnation of six barrels, each containing 200 pounds of skim-milk powder at Augusta, Ga., alleging that the article had been shipped in interstate commerce on or about July 15, 1935, by the Brookhaven Creamery Co., from Brookhaven, Miss., and charging adulteration and misbranding in violation of the Food and Drugs Act.

The article was alleged to be adulterated in that it consisted in whole or in part of a decomposed animal substance.

The article was alleged to be misbranded in that it was offered for sale under the distinctive name of another article, namely, skim-milk powder.

On March 16, 1936, no claimant having appeared, judgment of condemnation was entered and it was ordered that the product be destroyed.

M. L. WILSON, *Acting Secretary of Agriculture.*

**25973. Adulteration and misbranding of wine. U. S. v. 18 Barrels, 29 Barrels, 40 Barrels, 26 Barrels, 13 Barrels, and 41 Barrels of Wine. Consent decrees of condemnation. Products released under bond for relabeling.** (F. & D. nos. 36890, 37086, 37087, 37138, 37149, 37150. Sample nos. 36214-B, 51161-B, 51167-B, 51168-B, 51170-B, 51171-B, 51172-B, 51176-B to 51186-B, incl.)

These cases involved interstate shipments of wines that were deficient in alcohol or artificially colored, or both.

The United States attorney for the District of Maryland, acting upon reports by the Secretary of Agriculture, filed in the district court on December 27, 1935, a libel praying seizure and condemnation of 18 barrels of wine; on January 20, 1936, one libel praying seizure and condemnation of 29 barrels of wine, and another praying seizure and condemnation of 40 barrels of wine; on January 30, 1936, a libel praying seizure and condemnation of 26 barrels of wine; on February 4, 1936, one libel praying seizure and condemnation of 13 barrels of wine, and another praying seizure and condemnation of 41 barrels of wine at Baltimore, Md., alleging, respectively, that the articles had been shipped in interstate commerce on or about August 23 and 29, November 1, 11, 12, 18, 19, 22, and 24, 1935, December 5, 7, 9, 13, 14, 16, 17, 21, 23, and 24, 1935, and January 3, 1936, by Geffen Industries, from Long Island City, N. Y., and that they were adulterated or misbranded, or both, in violation of the Food and Drugs Act.

In one lot the wine was labeled in part: "Geffen Industries Long Island City, N. Y. Blackberry Type Wine \* \* \* Kind of Wine Amer. Blackberry Type Alcoholic Contents Not over 14%." Said article was alleged to be adul-